UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,476	12/14/2001	Ioana Sundius	3343/11021US1	5289

7590 03/10/2005	EXAMINER
DARBY & DARBY P.C. 805 Third Avenue New York, NY 10022	DOAN, DUYEN MY

ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 03/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 May 2002*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *14 December 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

Detail Action

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the
United States before the invention thereof by the applicant for patent, or on an international application
by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this
title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act

of 1999 (AIPA) and the Intellectual Property and High Technology Technical

Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting

directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior

to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Kukura

et al (us pat 6,633,923).

As regarding claims 1,7 Kukura et al disclose creating a plug-in component for

a desired client/server application program protocol selected from multiple and diverse

communications protocols, said component including a protocol adaptor/connector

connecting the ORB and client server applications (col.15, lines 45-48, col.31. lines 45-

67, col.32, lines 1-67); structuring a base communications protocol for the ORB to

accept said plug-in components so as to translate the client/server application protocol to the General Inter-ORB Protocol (GIOP) of CORBA (col.15, lines 45-48, col.31. lines 45-67, col.32, lines 1-67, col.35, lines 15-42); and combining the plug-in component and the base communications protocol so that the combination ORB handles communications from the client/server application in the desired application protocol (col.15, lines 45-48, col.31. lines 45-67, col.32, lines 1-67, col.35, lines 15-42).

As regarding claims 2, 8 Kukura et al disclose registering at least one other plug-in component for a desired communications protocol out of a plurality of protocols; and substituting one of the plug-in components in the combination to cause the system to communicate in the protocol related to the substituted protocol (col.39, lines 50-67, col.40, lines 45-67).

As regarding claims 3,9 Kukura et al disclose plug-in component includes a scheduler and the schedules changes when the other plug-in is substituted (col.31, lines 45-67, col. 32, lines 1-67, col.39, lines 50-67, col.40, lines 45-67, col.41, lines 55-67).

As regarding claims 4, 10 Kukura et al disclose the protocol adaptor/connector defines a connector interface which includes a protocol connector (col.31, lines 45-67, col.32, lines 1-67).

As regarding claims 5, 11 Kukara et al disclose protocol adaptor/connector defines an adapter interface which includes a Listener and a dispatcher (col.31, lines 45-67, col.32, lines 1-67, col.37, lines 1-16, col.39, lines 50-67).

As regarding claims 6, Kurara et al disclose a plug-in component for a desired protocol related to one of a multiple of diverse communications protocols (col.15, lines

45-48, col.31. lines 45-67, col.32, lines 1-67); and a base communications protocol component for the ORB, said base protocol being adapted to accept said plug-in component so as to translate the internal CORBA structure to a desired communications protocol (col.15, lines 45-48, col.31. lines 45-67, col.32, lines 1-67, col.39, lines 50-67);

As regarding claims 12, Kurara et al disclose providing at least one protocol connector (col.15, lines 45-48, col.31. lines 45-67, col.32, lines 1-67, col.35, lines 15-42); using a client stub component to provide a plug-in protocol connector component for at least one desired client/server application program protocol selected from multiple and diverse communications protocols (col.9, lines 1-67, col.11, lines 120-24, col.12, lines 19-67); using a client connection manager component to establishing a connection between one of said protocol connector and said plug-in protocol connector, and at least one protocol connection component (col.9, lines 1-67, col.11, lines 120-24, col.12, lines 19-67); and connecting the protocol connection to a transport connection, said transport connection establishing communications with a server processor, and at said server processor: providing at least one protocol listener (col.26, lines 12-47, col.37, lines 1-16, col.39, lines 1-67); using a server skeleton component to provide a plug-in listener for at least said desired client/server application program protocol (col.26, lines 12-47, col.37, lines 1-16, col.39, lines 1-67); using a server dispatcher component to establishing a connection between one of said listener and and said plug-in listener, and a protocol adapter, said adapter establishing communications with said transport connection of said client (col.26, lines 12-47, col.37, lines 1-16, col.39, lines 1-67).

As regarding claim 13, Kukara et al disclose using said client stub to provide at least one other plug-in protocol component for a desired communications protocol out of a plurality of protocols (col.9, lines 1-67, col.12, lines 1-67); and using said client connection manager to substitute the other plug-in protocol component for connection to said protocol connector (col.9, lines 1-67, col.12, lines 1-67).

As regarding claims 14, Kukura et al disclose the plug-in component includes a scheduler and the schedules changes when the other plug-in is substituted (col.31, lines 45-67, col. 32, lines 1-67, col.39, lines 50-67, col.40, lines 45-67, col.41, lines 55-67).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duyen M Doan whose telephone number is (571) 272-4226. The examiner can normally be reached on 9:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner
Duyen Doan
Art unit 2143
DD

BUNJOB JAROENCHONWANIT
PRIMARY EXAMINER